

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JAMES JORDAN, et al., on behalf of)
themselves and all others similarly)
situated,)

Plaintiffs,)

v.)

1:21-CV-914 and 1:22-CV-483

PREFERRED FINANCIAL)
CORPORATION, LLC, and GREG E.)
LINDBERG,)

Defendants.)

ORDER

By January 31, 2023, counsel shall provide the case manager with their proposed long-form notice in Word format.

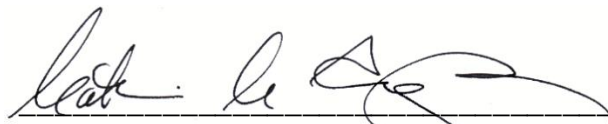
The Court does not see that the parties have addressed who will mail the postcard notices, receive opt-out requests or changes of address, or create and maintain the website. The Court sees no discussion of appointment of a Class Administrator, or identification of how this would otherwise be handled.

The Court does not see that either proposed long-form notice contains language explicitly addressing that class members should opt out if they do not want to pursue payment of unpaid commissions on the theory and in the manner proposed by class counsel, *see* Doc. 43 at 12 n.4, *i.e.*, they should opt out if they want to pursue unjust enrichment, quantum meruit, or any claims other than breach of contract.

The Court does not see that the parties have suggested a timeframe for the opt-out deadline.

If the Court has overlooked discussion of any of these things, counsel can contact the case manager with a citation to the record directing the Court's attention. Otherwise, the parties shall immediately meet and confer about these matters, attempt to reach agreement, and then supplement their submissions no later than February 3, 2023. If there are any other matters that will need to be addressed as part of the court order related to notice and opting-out, counsel shall also bring them up with each other and then address those matters in the supplemental submissions.

SO ORDERED, this the 27th day of January, 2023.



UNITED STATES DISTRICT JUDGE